

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-28 are currently pending. Claims 1-8, 11-13, 15-19, and 22-28 are amended by the present amendment.

Support for changes to Claims 1, 8, 15, and 22 is found in Applicants' Figure 52 and the corresponding written description in the specification. The remaining changes to the claims address minor informalities. Thus, no new matter is added.

The outstanding Official Action rejected Claims 1, 8, 15, and 22 under 35 U.S.C. § 102(e) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as unpatentable over, U.S. Patent No. 7,134,145 to Epstein; rejected Claims 2-5, 7, 9-13, 16-19, 21, 23-26, and 28 under 35 U.S.C. § 103(a) as unpatentable over Epstein in view of U.S. Patent No. 6,925,448 to Stefik et al. (hereinafter "Stefik"); and rejected Claims 6, 14, 20, and 27 under 35 U.S.C. § 103(a) as unpatentable over Epstein in view of U.S. Patent No. 6,319,125 to Acres.

Applicants respectfully traverse the rejection of the claims under 35 U.S.C. § 102(e) and § 103(a) with respect to amended independent Claims 1, 8, 15, and 22.

Amended Claim 8 is directed to an information processing method for checking out or in a content to or from an external device connected to an information processor. The method includes, in part, simultaneously setting a first plurality of selected contents to be checked out to the external device prior to checking out the first plurality of selected contents. The method further includes simultaneously checking out the first plurality of selected contents set in the setting step to the external device. Independent Claims 1, 15, and 22 include similar features directed to an information processing apparatus, a program storage medium, and an information processing apparatus, respectively.

Turning now to the applied reference, Epstein describes a check-out/check-in system and method for limiting the amount of copies of protected content material that are simultaneously available. Figure 1 of Epstein illustrates a check-out/check-in device 100 and a receiving device 200. Epstein describes that after the receiving device 200 is verified as a certified device that can receive content, content is transmitted to the receiving device 200 or returned to the check-out/check-in device 100.¹

Figure 2 of Epstein illustrates a flow diagram for a transaction between the check-out/check-in device 100 and the receiving device 200. Epstein describes that the check-out/check-in device 100 receives a transaction request that includes an identification of content material, and a certificate that verifies that the receiving device 200 is a conforming device. As illustrated in Figure 2 of Epstein, if the transaction request is a request to receive the identified content material from the check-out/check-in device 100, and the number of copies of the identified content material that can be checked out is below a limit, an authentication challenge and the content material are transmitted to the receiving device at step 350. According to Epstein, the transaction request is a request to return the identified content material, and a response to a challenge is correct, the content material is returned to the check-in device 100.²

However, Epstein fails to disclose or suggest that the identification included in the transaction request of Epstein identifies a plurality of content materials. That is, for each transaction request of Epstein, only a single identified content material is selected and transmitted to the receiving device 200. For example, if the check-out/check-in device 100 of Epstein has content material A and content material B, Epstein fails to disclose or suggest

¹ See Epstein at column 3, lines 1-27.

² See Epstein at column 4, line 65 to column 5, line 37.

that both the content materials A and B can be simultaneously identified (e.g., set) in a single transaction request and simultaneously checked out to the receiving device 200.

Therefore, Epstein fails to disclose or suggest “simultaneously setting a first plurality of selected contents to be checked out to the external device prior to checking out the first plurality of selected contents,” and “simultaneously checking out the first plurality of selected contents set in the setting step to the external device,” as recited in Claim 8.

Applicants have considered Stefik and Acres and submit that these applied references fail to cure the deficiencies of Epstein.

In addition, Epstein, Stefik, and Acres fail to disclose or suggest “a content checkout setting means for simultaneously setting a first plurality of selected contents to be checked out to the external device prior to checking out the first plurality of selected contents,” and “a checkout means for simultaneously checking out the first plurality of contents set by the setting means to the external device,” as recited in Claim 1.

Epstein, Stefik, and Acres further fail to disclose or suggest “simultaneously setting a first plurality of selected contents to be checked out to the external device prior to checking out the first plurality of selected contents,” and “simultaneously checking out the first plurality of selected contents set in the setting step to the external device,” as recited in Claim 15.

Epstein, Stefik, and Acres also fail to disclose or suggest “a content checkout setting device configured to simultaneously set a first plurality of selected contents to be checked out to the external device prior to checking out the first plurality of selected contents,” and “a content checkout device configured to simultaneously check out the first plurality of selected contents set by the content checkout setting device to the external device,” as recited in Claim 22.

Accordingly, Applicants submit that Epstein, Stefik, and Acres fail to disclose or suggest all the features of Claims 1, 8, 15, and 22.

Thus, Applicants respectfully request that the rejection of Claims 1, 8, 15, and 22 under 35 U.S.C. § 102(e), or alternatively under § 103(a), be withdrawn.

In addition, Applicants respectfully traverse the rejections of Claims 2-7, 9-14, 16-21, and 23-27 under 35 U.S.C. § 103(a) as unpatentable over Epstein, Stefik, and Acres.

Dependent Claim 12 recites “simultaneously setting a second plurality of selected contents to be checked in from the external device prior to checking in the second plurality of selected contents,” and “simultaneously checking in the second plurality of selected contents set at the checking in setting step from the external device, the checking in step performed concurrently with the checking out step.”

Figure 2 of Epstein illustrates that when a transaction request is a request to return content from the receiving device 200 to the check-out/check-in device 100, content is returned from the receiving device 200 after an authentication challenge is matched to a response.

However, as discussed above, since Epstein fails to disclose or suggest that a plurality of content materials are identified in a transaction request, Epstein fails to disclose or suggest “simultaneously setting a second plurality of selected contents to be checked in from the external device prior to checking in the second plurality of selected contents,” and “simultaneously checking in the second plurality of selected contents set at the checking in setting step from the external device,” as recited in dependent Claim 12.

Further, as illustrated in Figure 2 of Epstein, a transaction request is either for checking out content material to the receiving device 200 or checking in content material from the receiving device 200. However, Epstein fails to disclose or suggest that the checking out of content material is concurrent with the checking in of content material.

For example, in Epstein, if a content material A is located on the check-out/check-in device 100, and a content material B is located on the receiving device 200, Epstein fails to disclose or suggest that the content material A can be checked out to the receiving device 200 at the same time that the content material B is checked in from the receiving device 200. Therefore, Epstein fails to disclose or suggest that the checking in step is “performed concurrently with the checking out step,” as recited in Claim 12.

Applicants have considered Stefik and Acres and submit that these applied references fail to cure the deficiencies of Epstein.

In addition, Epstein, Stefik, and Acres fail to disclose or suggest “a content check-in setting means for simultaneously setting a second plurality of selected contents to be checked in from the external device prior to checking in the second plurality of contents,” and “a check-in means for simultaneously checking in the second plurality of contents set by the content check in setting means from the connected external device, the check-in means operated concurrently with the checkout means,” as recited in dependent Claim 4.

Epstein, Stefik, and Acres further fail to disclose or suggest “simultaneously setting a second plurality of selected contents to be checked in from the external device prior to checking in the second plurality of selected contents,” and “simultaneously checking in the second plurality of selected contents set at the checking in setting step from the external device connected to the information processor, the checking in step performed concurrently with the checking out step,” as recited in dependent Claim 18.

Epstein, Stefik, and Acres also fail to disclose or suggest “a check-in setting device configured to simultaneously set a second plurality of selected contents to be checked in from the external device prior to checking in the second plurality of selected contents, and “a check-in device configured to simultaneously check-in the second plurality of selected

contents set by the content check-in setting device from the connected external device, the check-in device operated concurrently with the checkout device,” as recited in Claim 25.

Accordingly, Applicants submit that Epstein, Stefik, and Acres fail to disclose or suggest all the features of dependent Claims 4, 12, 18, and 25 for each of the independent reasons noted above.

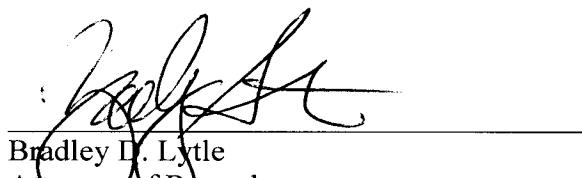
Therefore, it is respectfully requested that the rejections of claims 2-7, 9-14, 16-21, and 23-27 under 35 U.S.C. § 103(a) also be withdrawn.

Accordingly, Applicants submit that Claims 1, 8, 15, and 22, and claims depending therefrom, are allowable.

Consequently, in view of the present response, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Respectfully submitted,

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